

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Elisa Vitale, Case Manager
JL Joel Lawson, Associate Director Development Review

DATE: June 27, 2019

SUBJECT: BZA Case 20046 3003 7th Street SE to permit construction of a detached dwelling

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following variance relief:

- Side Yard, Subtitle D § 206.2, pursuant to Subtitle X § 1000 (2 side yards, 8 feet minimum required; 2 side yards, 3 feet proposed).

II. LOCATION AND SITE DESCRIPTION

Address	3003 7 th Street SE
Applicant	Eric Sayles, agent, on behalf of Mohammad Sikder, owner.
Legal Description	Square 5952, Lot 31
Ward, ANC	8 / 8C
Zone	R-2 – is intended to provide for areas predominantly developed with detached or semi-detached houses on moderately sized lots.
Historic District	Not applicable.
Lot Characteristics	The rectangular lot measures 100 feet in depth and 25 feet in width. The property is bounded by 7 th Street SE to the east, adjoining lots to the north and south, and a 16-foot wide improved public alley to the west.
Existing Development	The property is unimproved.
Adjacent Properties	To the north and south are properties developed with detached buildings (i.e. side yards on both sides) in residential use.
Surrounding Neighborhood Character	The surrounding neighborhood is primarily residential in nature with commercial properties in the MU-4 zone to the northwest on Martin Luther King Jr. Avenue SE.
Proposed Development	The Applicant is proposing to construct a new detached building intended for a single household.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – R-2	Regulation	Existing	Proposed	Relief
Lot Width D § 302	40 ft. (detached)	25 ft.	25 ft.	Existing Nonconforming
Lot Area D § 302	4,000 sq. ft. min. (detached)	2,500 sq. ft.	2,500 sq. ft.	Existing Nonconforming
Height D § 303	40 ft. max. / 3 stories	--	27 ft / 2 stories.	None Required
Lot Occupancy D § 304	40 % max.	--	34.2%	None Required
Front Setback D § 305	Within range of existing front setbacks on same side of street	--	Within range	None Required
Rear Yard D § 306	20 ft. min.	--	55 ft. 3 in.	None Required
Side Yard D § 206	8 ft. min., one side	--	3 ft., both sides	Variance Requested
Parking C § 701	1 space	--	1 space	None Required

IV. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from Subtitle D § 206, Side Yard

i. Exceptional Situation Resulting in a Practical Difficulty

The Applicant has requested relief from the provision of compliant side yards, providing three-foot side yards on both sides of the lot where two eight-foot side yards are required for detached dwellings. The existing lot is substandard, having a width of 25-feet where 40-feet would be required for a detached dwelling, which is approximately 38% smaller than required by the regulations. It would be practically difficult to develop a detached dwelling with eight-foot side yards on the subject lot, as the resulting dwelling would be nine-feet wide. The current proposal would allow for a 19-foot wide detached dwelling, resulting in a reasonable building width.

Further, the R-2 development standards allow for the development of a semi-detached building with one eight-foot side yard. Providing one compliant side yard on the 25-foot wide lot would result in a 17-foot wide building. Side yards of three-feet on each free-standing side, as proposed, would allow the proposed 19-foot wide single-family structure with a layout compatible with contemporary standards and the neighborhood, while maintaining open space on each side of the building.

ii. No Substantial Detriment to the Public Good

The provision of three-foot wide side yards should not cause substantial detriment to the public good. The three-foot-wide side yards would allow for maintenance by the future homeowner. The detached dwellings to the north and south provide small side yards and have windows on the elevations adjacent to the proposed building. The proposed three-foot side yards, in combination with the existing side yards on the adjacent properties should provide sufficient separation between the buildings to allow adequate light and air. Furthermore, the provision of the three-foot side yards would provide

separation between the proposed building and the windows on the existing adjacent buildings. The Applicant has not requested additional relief and proposes to provide a 55-foot 3-inch rear yard where a 20-foot rear yard would be required.

iii. No Substantial Harm to the Zoning Regulations

The provision of side yards is intended to ensure sufficient open space and to address light, air, and privacy on lots in the R-2 zone, which allows for the development of semi-detached and detached dwellings. The zone is also intended to provide for adequately sized dwellings for family life. The proposed dwelling would comply with all other development standards for the lot. As a result, the intent to maintain open space on the lot would be achieved with the proposal. The requested relief would allow for the development of the currently vacant property with an appropriately scaled single-household dwelling, a use intended within the R-2 zone, with open space on each side.

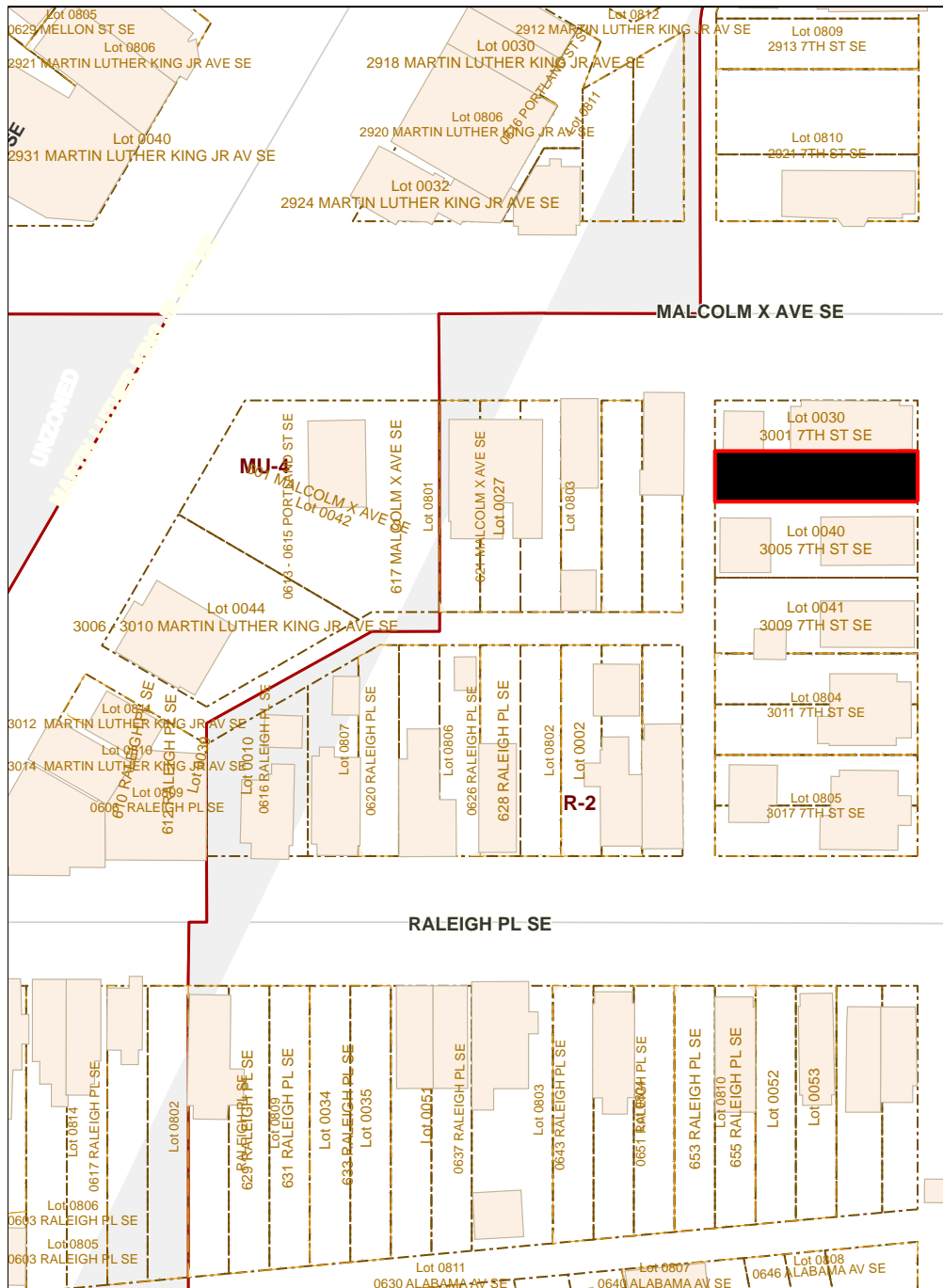
V. COMMENTS OF OTHER DISTRICT AGENCIES

Comments of other District Agencies had not been filed in the record at the time this report was drafted.

VI. COMMUNITY COMMENTS TO DATE

Community comments, including ANC 8C, had not been filed in the record at the time this report was drafted.

Attachment: Location Map



Location Map: 3003 7th Street SE